

At a meeting of the Counsellors of the Massachusetts Medical Society, the following Report was presented and read ; and it was ordered, that the Report and Resolutions be printed, and distributed to each Fellow of the Society, and be considered at the next meeting of the Counsellors.

MASSACHUSETTS MEDICAL SOCIETY.

The Committee of the Counsellors, consisting of one Fellow of the Society from each county in the Commonwealth, appointed to take into consideration the whole subject of the Constitution and By-laws of the Society, have attended to the duty assigned them and respectfully report :

That the Committee met at Worcester at the time appointed by the Counsellors, July 10, 1839, two members only, Dr. Read, of New Bedford, and Dr. Yale, of Tisbury, being absent, and continued in session till the following day. After a very full and frank discussion of all the questions that presented themselves, under the very comprehensive commission referred to them, the Committee have come to the following results, which they now present to the Counsellors.

The profession of medicine is a liberal and benevolent one. Its objects can be accomplished only by measures which have a favorable bearing upon the welfare of the whole community, no less than upon the personal interests of its members. In like manner, the best interests of the whole profession are so interwoven, that the prosperity of any considerable part necessarily advances the prosperity of the whole. The Medical Society has, and can have no separate objects or interests, exclusive of those of the whole body of physicians. Whatever elevates the character and influence of the Society, by the increased intelligence, diligence and devotedness of its members, adds to the respectability, and to the power of doing good, of every member of the profession.

Neither are the means by which the objects of the Society are promoted, of a selfish or exclusive nature. The whole history of the Society shows that it has never cherished any purpose or desire of accumulating peculiar privileges for its members. In its original Constitution, the Society was limited to seventy members; on whom were conferred all the powers incident to a regulation of professional conduct, and to the examination of candidates and the granting of licenses. After an experience of twenty years, the members became satisfied that the organization of the Society was not well adapted to the production of all the benefits expected from it. They applied to the Legislature,—not for the grant of additional powers or privileges,—but for permission to share with others the privileges already granted to themselves. Authority was not only obtained to elect all physicians of a suitable character throughout the State Fellows of the Society, but provision was made that in all time to come, every man of good moral character, who should enter the profession after a proper preliminary education, might claim admission to the Society as a matter of right. The only restriction was, the requirement that candidates should remain with the privileges of licentiates three years, before they could be admitted Fellows. These were the provisions of the Act of 1803, which was passed solely on the application of the Society, and was prepared with great care, under the watchful supervision of an able Committee of its members.

After a further experience of nearly another twenty years, it was found that the restriction of the three years' probation produced in the minds of some young men feelings of jealousy and discontent. The Society applied again to the Legislature,—and, as before, not for an increase of its privileges, but for an extension of them to others not embraced in its provisions. The Society has never sought for any advantages to its members, which should not be freely enjoyed by every competent physician in the State, who would in any reasonable manner exhibit the evidence of his competency. It has never sought to coerce those who venture upon the high duties and responsibilities of the profession without a competent preparation. On the contrary, when the Legislature compelled them, by their Censors, to determine who should, and who should not,

be entitled to certain legal facilities in regard to professional fees, the difficult trust was accepted with reluctance; and it was in consequence of the opinion expressed distinctly by the Society, and of the efforts of some of its members, that the law was repealed.

In carrying into effect its important objects, the Society has never relied mainly upon the immediate effects of its legislation. It is not so much by the enactments of its laws, as by the high character and honorable conduct of its members, that it seeks to exert its beneficial influences. The annual meetings of the Society have been attended by a large proportion of the Fellows with feelings of lively interest, and have done much to excite a spirit of improvement and harmony. It is obvious, that the advantages of such meetings are by no means limited to those who ordinarily attend them, but are shared in a very eminent degree by all. It is only necessary that the meetings should be so constituted as to secure a fair representation of the interests and feelings of the whole, and thus obtain a general confidence and coöperation. This, the Committee believe, is fully accomplished in regard to a very large proportion of the State, and they confidently trust that the modifications, which they are about to propose, will effect the same purpose in regard to the remaining portion.

The Society is too large to enter with facility as a body upon the discussion of medical questions, except in listening to the annual discourse. A library, or a cabinet for the whole Society, would not diffuse its benefits to those Fellows who reside at a distance from the place of its deposit, equally with those who are near. These objects can best be accomplished by the action of district medical societies. It should be the policy of the Society, therefore, as it ever has been since its reorganization in 1803, to encourage the formation and efficiency of such societies. And the Committee would recommend to the Fellows of the Society, who are not organized into district societies, to take measures to form them, whenever it can advantageously be done; believing that they may do much to extend the usefulness of our Institution.

In the practical adaptation of the principles thus expressed, the Committee do not propose any radical change in the organization or mode of action of the Society. They believe that the great purposes for which the Society was

established, or which can with propriety come within its purview, have already been accomplished more effectually than in almost any other kindred institution of which they have any knowledge, in respect to far the greatest part of the profession. But it is said, in behalf of those who reside in the four western counties of the State, that their great distance from the place of meeting precludes them from the enjoyment of many of the advantages possessed by those who are more favorably situated; and that in consequence so few of their Fellows attend the meetings, either of the Society or of the Counsellors, that the proceedings do not obtain their sympathy or confidence in a sufficient degree to render either the By-laws or the recommendations of the Society operative upon them.

To remedy this difficulty, and to acquire for the legitimate actions of the Society the confidence of all its members, the Committee recommend the adoption of a system of modified representation. They do not propose a change of the Constitution to a Society made up of delegates. It is perfectly evident to them, that a very large majority of the Society are altogether indisposed to relinquish the advantages and the satisfaction derived from a personal attendance on the annual meetings. Such an attendance need not be abandoned. But the Committee propose that district societies, whenever they are disposed to do it, shall be authorized to select their own Counsellors, and that absent members, both of the Society and of the Counsellors, shall be permitted to vote by proxy. This will secure to the distant members of the Society an easy and full representation of their views and feelings at the several meetings; while it does not interfere with the right of each Fellow to take his full share in the proceedings. Provision is also made for the election of the whole body of the Counsellors in a manner conformably to the charter, both in regard to such portions of the Society as may not be organized into district societies, and to any deficiency that may exist in respect to the selections of the district societies. The nature of the proposed arrangement will more fully appear from the amendments herewith submitted to the By-laws of the Society. This plan does not require an arbitrary organization of the Society into fixed districts, or any interference with the present arrangement of district medical societies, or with such as may be

formed hereafter, according to the convenience and feelings of the Fellows in the several parts of the State. It only requires that the number of Counsellors shall be determined according to a fixed ratio of the number of Fellows in the several districts and counties.

It appears to the Committee, by information furnished by some of its members, that the fifty-sixth By-law has in some parts of the State given offence, by taking away the freedom originally intended to be allowed to all regular physicians, to join the society or not, as they pleased, and by stigmatizing as irregular practitioners, gentlemen who have been recognized as competent physicians, merely for the exercise of this freedom. This is an effect which the Committee believe was not distinctly in the contemplation of the Society when the fifty-sixth By-law was adopted; and as they think the object of that By-law, in regard to the conduct of licentiates and doctors of medicine, who are not Fellows of the Society, may be satisfactorily accomplished by a different provision, they recommend its repeal and the adoption of a substitute.

The Committee have great satisfaction in stating, that although they came together from the different parts of the State, with views in some respects widely diverse from each other, they have, after a full expression and comparison of feelings and opinions, united in all these recommendations with entire unanimity and harmony. And in regard to a few other propositions which have been suggested by different members, but not agreed to by the Committee, the adoption of them has not been pressed in such a manner as to leave the least apprehension that the authors of them will retire from the Committee with disappointed or dissatisfied feelings. They have a confident persuasion that the adoption of the modifications, now proposed with such unanimity by the Committee, will so far satisfy the expectations of the profession in the western counties of the State, as to induce them, at no distant period, to coöperate in all the efforts of the Society with the same harmony and interest that are now felt in other parts of it.

The Committee present with this Report the record of their proceedings, to which they beg leave to refer the Counsellors for any further explanation of their opinions, and for some recommendations, to which they respectfully

ask the attention of the Counsellors, although not necessarily embraced in the leading purposes of their appointment.

In order to carry into effect the propositions embraced in this report, the Committee recommend to the Counsellors the adoption of the subjoined resolution.

All of which is respectfully submitted.

By order of the Committee,
 ENOCH HALE, *Chairman*.

JOHN C. DALTON, *Secretary*.

Worcester, July 11, 1839.

Resolved, That the Counsellors recommend to the Society, at the next annual meeting, to amend the By-laws of the Society as follows :

1st. To strike out the second section of By-law II, and insert the following words :

“2. The Counsellors shall be elected from among the Fellows of the Society, residing within the several districts or counties, as nearly as may be in the proportion of one Counsellor to every five Fellows ; provided that at least one Counsellor shall be elected in each county ;—and provided that the Society shall not be restricted from electing, on any special occasion, an additional number in any county. Ballots shall first be given for those Counsellors who shall have been elected by the district medical societies, agreeably to the provisions of the forty-fifth By-law. Counsellors for such portions of the State as are not included in any district society, and for any districts from which no return of Counsellors elected by the district society may have been received, shall then be balloted for ; and in such election, Fellows belonging to any district society, which shall have selected its own Counsellors, shall not be entitled to ballot for Counsellors for other portions of the State.”

2d. To insert the following as a new By-law [to be numbered III, the other By-laws to be numbered in conformity thereto].

III. "Any Fellow of the Society, or Counsellor, absent from any meeting, shall in all cases be entitled to vote by proxy."

3d. To insert the following as a new By-law [to be numbered XLV].

XLV. "Any district medical society may elect, previously to the last Wednesday of May in each year, the number of Counsellors to which by its number of Fellows such district is entitled, and make return of such election to the Recording Secretary before the annual meeting of the Society."

4th. "To repeal the fifty-sixth By-law, and substitute the following [to be numbered LVIII].

LVIII. "If any Licentiate of this Society, or Doctor of Medicine, graduated either at Harvard University or at the Berkshire Medical Institution, shall consult with, or aid or abet any irregular practitioner, he shall be liable to be deprived of the privileges of a licentiate, and to be declared an irregular practitioner."

5th. In the forty-fourth By-law, to strike out the words "to be appropriated for a library, to belong to such district society."

The following propositions of amendment of the By-laws were also presented, and ordered to be printed.

Resolved, That the Counsellors recommend to the Society, at the next annual meeting, to amend the sixth By-law, so that it may read as follows:

VI. Those Fellows who have resigned the fellowship of this Society, with the permission of the Counsellors, after having arrived at the age of sixty years, shall, while living, be distinguished in the printed list of the Society

by a peculiar mark, and shall be denominated *Retired Members*. They shall be entitled to all the privileges of Fellows, and shall conform to all the requirements of the Society, and be subject to all its penalties, except that they shall not be liable to assessments, nor shall they be bound to accept any office in the Society.

Resolved, That the Counsellors recommend to the Society to amend the eighth By-law, by striking out the concluding paragraph, beginning with the words "From and after this annual meeting," &c.

The Counsellors have appointed a Committee to prepare a new list of Fellows of the Society, with the date of admission and of discharge, by death or otherwise, so far as practicable. The Committee earnestly request the Fellows of the Society to communicate to either of the Secretaries, free of expense to the Society, information of any death or removal not noticed in the last printed list of Fellows, with the date, as nearly as it can be ascertained.

The Library of Practical Medicine, Volume X, is nearly ready for distribution,—consisting of Louis's *Researches on the Yellow Fever of Gibraltar* of 1828; translated by George C. Shattuck, Jr., M. D.

The Fellows of the Society may receive their copies, on application, after the 10th day of November, at the bookstore of Messrs. Charles C. Little & Co., No. 112 Washington Street.